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## United States Senate

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September 25, 2014

Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

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Dear Chairman Wheeler:

I write to express my concern regarding the delayed implementation of the rural call completion order and to request an update regarding your agency's ongoing efforts to resolve this problem. Unless the Federal Communications Commission takes further action, I fear the call failures will persist and will continue presenting a significant economic and public safety threat to rural communities across our country.

I remain concerned about the negative impact the call completion problem is having on the rural communities I represent. The problem poses a serious public safety threat, such as when 911 call centers cannot reach individuals in distress or when doctors cannot reach their patients regarding follow-up care. The call failures also create frustration for those trying to connect with friends and family, as well as small businesses losing opportunities when they miss calls from customers. The rural Americans affected by this problem are rightfully frustrated and demand a solution.

I applaud the actions the Commission has taken to address the problem, including the consent decrees against providers failing to properly complete long-distance telephone calls to rural consumers. Additionally, I was pleased when the Commission unanimously adopted the Rural Call Completion Report and Order and a Further Notice of Proposed Rulemaking (FNPRM) on October 28, 2013. The rules approved by the Commission would support the collection of information that would improve the monitoring of incoming calls to rural areas, encourage providers to adopt industry best practices, and inform the agency's ongoing investigation and enforcement efforts.

I understand, however, that the Commission has not yet submitted the rules for final approval by the Office of Management and Budget. I am concerned about the delayed implementation of the rules and encourage the Commission to act in a prompt and timely fashion to move forward with implementation. The widespread and persistent failure of calls to rural consumers threatens the basic integrity of our nation's communications network and must not be tolerated. The problem has continued for far too long, and swift and decisive action must be taken to restore quality and reliable telephone service in rural America.

Chairman Wheeler  
September 25, 2014  
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Please provide an update regarding the Commission's timeline for submitting the rules for final approval and implementing the rules once approval has been granted. I encourage the Commission to consider taking additional actions, such as applying basic quality standards on intermediate providers, as was proposed in the Commission's FNPRM. I am also interested in learning of further steps the Commission plans to take to resolve this pressing problem.

Thank you for your consideration of my concerns. I appreciate your attention to this important issue and look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Tim Johnson". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Tim Johnson  
U.S. Senator

cc: Commissioner Mignon Clyburn  
Commissioner Jessica Rosenworcel  
Commissioner Ajit Pai  
Commissioner Michael O'Rielly





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

November 4, 2014

The Honorable Tim Johnson  
United States Senate  
136 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Johnson:

Thank you for your letter regarding call completion issues. In your letter, you urge the Commission promptly to submit the necessary Paperwork Reduction Act request to the Office of Management and Budget (OMB) regarding the *Rural Call Completion Report and Order and Further Notice of Proposed Rulemaking*, and you request a timeline for submitting the rules for final approval and implementing the rules once approval has been granted. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

As you know, the consequences of call completion and service quality problems can be dire, impacting businesses, families, and public safety. The Commission is committed to ensuring reliable telephone service in rural America and has been attacking this problem on multiple fronts. In October 2013, the Commission adopted new rules governing the delivery of long-distance calls to rural areas, including prohibiting false ring signaling. The new rules include data retention and call completion performance reporting requirements, which will help target our enforcement efforts. The rule prohibiting false ring signaling is already in effect. The record retention, and call completion performance reporting requirements will need OMB approval before going into effect.

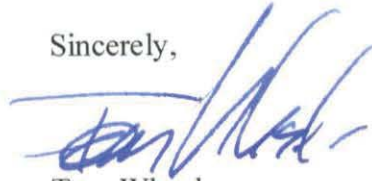
Since we issued the *Rural Call Completion Order*, but before we submitted it to OMB for approval, we received several petitions to reconsider those rules. Those petitions, if granted, would affect the submission to OMB. I have circulated an Order to my fellow Commissioners to address all the pending reconsideration petitions so that we can move forward to implement these important rules. I have directed Commission staff to be prepared to submit the necessary documentation to OMB as soon as the reconsideration Order is adopted.

As you note, the Commission also has taken enforcement actions in this area. In addition to the Consent Decree entered into with Level 3 in 2013 (\$975,000), the Enforcement Bureau earlier this year negotiated consent decrees with two major long distance providers: Windstream Corporation (\$2.5 million) and Matrix Telecom (\$875,000). We will continue to investigate the call completion practices of other voice communications providers, enforce our rules, and evaluate whether any additional measures are appropriate to ensure reliable telephone service in rural America.

Page 2—The Honorable Tim Johnson

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a horizontal line drawn through the middle of the signature.

Tom Wheeler